REMARKS/ARGUMENTS

Claims 2-13 and 26-36 remain in the application. Claims 2, 5, 9, 10, 11, 12, 13, 26, 28, 30, 31, 32, 33, 35, and 36 have been amended. Claims 1 and 25 have been canceled. Claims 14-24 have been canceled via a restriction requirement. Reconsideration of this application, as amended, is respectfully requested.

Claims 5 and 30 have been rewritten in independent form. Claims 2, 9, 10, 11, 12, and 13 have been amended to depend from claim 5. Claims 28, 32, and 35 have been amended to depend from claim 30.

Claim 31 has been amended to change the term "carousel" to "positioning device". Support for this amendment can be found at page 5, lines 10-22 of the specification. Claims 30, 31, 32, 33, 35, and 36 have been amended to change the term "positioner" to "positioning device". Support for these amendment can be found at page 4, line 34 through page 5, line 9 of the specification

Claim 31 was rejected under 35 U. S. C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter with applicant regards as the invention. Claim 31 has been amended to address this rejection. Accordingly, this rejection can be withdrawn.

Claims 1-4 and 9-13 were rejected under 35 U. S. C. §102(e) as being anticipated by Stylli et al. This rejection is respectfully traversed for the following reasons.

Stylli et al., U. S. Patent No. 6,890,485 (hereinafter "Stylli et al."), discloses a high throughput chemical handling apparatus which is suitable for screening of chemical compounds for chemical and biological activity. In one embodiment, the apparatus comprises a chemical storage module storing a set of chemical compounds, the chemical storage module comprising an automated retriever configured to retrieve selected ones of the chemical compounds. This apparatus also comprises a multi-lane transport module coupled to the chemical storage module which is positioned and configured to receive chemical compounds from the automated retriever and to transport the chemical compounds away from the chemical storage module. In another embodiment, the invention comprises a device for rapidly screening samples

containing a molecular target. This embodiment comprises a screening sample transporter programmably controlled to facilitate parallel processing of a plurality of sample wells and at least one workstation storage operably linked to the screening sample transporter and programmably integrated to the screening sample transporter. In a third embodiment, a high throughput chemical screener comprises a chemical library comprising storage locations for at least approximately 1000 multi-well plates, a parallel transport path coupled to the chemical library; and a plurality of asynchronously operable automated liquid handling devices coupled to the transport path.

Claim 1 has been canceled. Claims 2, 9, 10, 11, 12, and 13 have been rewritten to depend from claim 5. Claim 3 depends from claim 2. Claim 4 depends from claim 3. Claims 6 and 8 depend from claim 5. Claim 7 depends from claim 6. Because claims 5-8 have been deemed allowable, claims 2-4 and 9-13 should also be deemed allowable. Accordingly, this rejection can be withdrawn.

Claims 1-4, 12, and 13 were rejected under 35 U. S. C. §102(b) as being anticipated by McCulloch et al. This rejection is respectfully traversed for the following reasons.

McCulloch et al., U. S. Patent No. 5,122,342 (hereinafter "McCulloch et al.") , discloses a micro-processor controlled bio-fluid assay apparatus wherein microtitre plates are on carriers having machine readable labels and wherein the samples of bio-fluid and reagent dispensers also preferably carry machine readable labels whereby the microprocessors which control movement of the plates through the apparatus can verify correct operation thereof. Movement of the plates is effected by a plate carrier transfer mechanism which has the ability to move the plate carriers in any order and in either direction along each of the x, y, and z axes.

Claim 1 has been canceled. Claims 2, 9, 10, 11, 12, and 13 have been rewritten to depend from claim 5. Claim 3 depends from claim 2. Claim 4 depends from claim 3. Claims 6 and 8 depend from claim 5. Claim 7 depends from claim 6. Because claims 5-8 have been deemed allowable, claims 2-4 and 12-13 should also be deemed allowable. Accordingly, this rejection can be withdrawn.

Claims 25-29 were rejected under 35 U. S. C. §103(a) as being unpatentable over Dunn et al. in view of Stylli et al. This rejection is respectfully traversed for the following reasons.

Dunn et al., U. S. Patent No. 5,324,481 (hereinafter "Dunn et al."), discloses a reaction cell carrier with an integral reagent pack. The carrier comprises a carousel with multiple reaction cell capacity, such as, for example, a batch capacity of up to 24 cells. A plurality of separate reagent packs may be incorporated in the carousel.

Claim 25 has been canceled. Claims 26, 28, 32, and 35 have been rewritten to depend from claim 30. Claim 27 depends from claim 26. Claim 29 depends from claim 28. Claim 31 depends from claim 30. Claim 33 depends from claim 32. Claim 34 depends from claim 33. Claim 36 depends from claim 35. Because claims 30 and 33-36 have been deemed allowable, claims 26-29 and 31-32 should also be deemed allowable. Accordingly, this rejection can be withdrawn.

In view of the foregoing, it is submitted that claims 2-13 and 26-36 are in condition for allowance, and official Notice of Allowance is respectfully requested.

Respectfully submitted,
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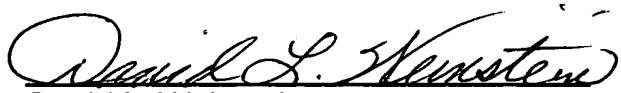

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